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MS ISSUE
PATENT
2870-0137P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Shoji YASUDA Conf.: 5348
Appl. No.: 09/617,433 Group: 1752
Filed: July 14, 2000 Examiner: T. Chea
For: THERMALLY PROCESSED IMAGE FORMING
MATERIAL

LETTER SUBMITTING DOCUMENTS UNDER 37 C.F.R. 1.97(i)

MS ISSUE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUL 26 2004

Sir:

Applicant submits the following references that were cited in a corresponding European Search Report (copy enclosed) in connection with the above-identified application.

A copy of the references together with a listing on Form PTO-1449, is submitted herewith. Applicants note that EP 1 069 468 A1, having a publication date of January 17, 2001 is not effective prior art in the U.S. In addition, the remaining references of EP 1 041 435 A1, EP 1 014 178 A1 and EP 1 026 545 A2, fail to disclose the closed mixing means of instant claim 1, which as demonstrated during the examination of the application results in a superior

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product. As such, these references are cumulative with the previously considered prior art and are not believed to be material to patentability. Pursuant to 37 C.F.R. § 1.97(i), please place these references in the application file without consideration.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Marc S. Weiner (S. Weiner)
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MSW/MAA/csm
2870-0137P
Attachment(s)

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(Rev. 06/11/2004)

Form PTO-1449

ATTY. DOCKET NO.
2870-0137PAPPLICATION NO.
09/617,433**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**APPLICANT
Shoji YASUDAFILING DATE
July 14, 2000GROUP
1752

JUL 26 2004

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						
	US						

FOREIGN PATENT DOCUMENTS

	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	EP	1 069 468	A1	2001-01-17	E.P.O.				
	EP	1 014 178	A1	2000-06-28	E.P.O.				
	EP	1 026 545	A2	2000-08-09	E.P.O.				
	EP	1 041 435	A1	2000-10-04	E.P.O.				

OTHER DOCUMENTS

(Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.